

NEEDHAM PLANNING BOARD MINUTES

September 7, 2022

The Needham Planning Board hybrid meeting, held in person at Powers Hall, Needham Town Hall and Virtual using Zoom, was called to order by Adam Block, Chairman, on Wednesday, September 7, 2022, at 7:00 p.m. with Messrs. Alpert and Crocker and Mmes. McKnight and Espada, as well as Planning Director, Ms. Newman and Assistant Planner, Ms. Clee.

Mr. Block took a roll call attendance of the Board members and staff. He noted this is an open meeting that is being held in public and remotely per state guidelines. He reviewed the rules of conduct for all meetings. He noted this meeting does include two public hearings and there will be public comment allowed. If any votes are taken at the meeting the vote will be conducted by roll call. All supporting materials, including the agenda, are posted on the town's website.

Public Hearing:

7:00 p.m. – Major Project Site Plan Special Permit No. 2022-02: 557 Highland Avenue, LLC, an affiliate of The Bulfinch Companies, Inc., 116 Huntington Avenue, Suite 600, Boston, MA, Petitioner (Property located at 557 Highland Avenue, Needham, MA). regarding proposal to redevelop the Property with approximately 496,694 square feet of office, laboratory and research and development uses (see legal notice and application for more details). Please note: this hearing has been continued from the June 7, 2022 and July 7, 2022 meetings of the Planning Board.

Robert Schlager, Principal at Bulfinch Company, noted this is a redevelopment of 557 Highland Avenue. He stated there have been 2 public meetings and around 10 community meetings. The plans have been revised for the site boundary, Gould Street improvements and additional calculation as to zoning requirements based on the changes. There are updated architect comments and transportation updates. The Peer Reviewer comments have been incorporated. Updated materials have been submitted. He briefly reviewed the updates and noted they had received valuable input. He noted the Highland Innovation Center does not have tenants yet. There will be extensive redevelopment of the site.

Eric Weyant, of Stantec Architecture and Engineering P.C., walked through the site plan changes. The site boundary has been adjusted. He showed the existing property lines used for 50 foot and 200-foot setbacks. The line has been moved and new 50 foot and 200-foot setbacks have been set. The road will be widened for 600 feet in length from TV Place to the Gould and Highland intersection. He noted 12,000 square feet have been taken from the project site for the widened roadway. The site plan basically looks the same. A small notch has been taken out of the garage for the new setback and the amenity spaces are the same. Included on the edge of the site is a multi-modal path for safer passage. The south building has been pushed back approximately 20 feet, the north building has been pushed back approximately 30 feet and there is also a 3-story bump out to address massing. The building goes from 5 stories to 3 stories. The project has been reduced by 16,000 square feet for a total of 490,000 square feet. He noted the loading dock has been moved and access has been moved around to the side. There is an easier way to navigate through the site. There is a lot of variety for massing, and he feels the composition is better.

Sean Manning, of VHB, gave traffic updates. He noted there will be 2-way access for cyclists and walkers on the sidewalk. There are signal improvements proposed at Central and Gould and not just roadway improvements. He feels this is a comprehensive solution. Mr. Block asked if there are any unresolved traffic issues. Rebecca Brown, the GPI Peer Reviewer, stated there are no issues based on the most recent submission. She has completed the review and has no additional comments. She would like to clarify some TDM (Transportation Demand Management measures and the Transportation Monitoring Program. The final plan set should depict the proposed signal equipment along Highland and Gould and that it be an adaptive signal consistent with the MA Department of Transportation (DOT) corridor.

Mr. Crocker commented the south building along Highland Avenue seems different with regards to the volume of the building. Mr. Weyant noted the massing was moved a bit in the last presentation with a break in the materiality. Mr. Crocker asked if any comments regarding the massing at the last meeting were taken into consideration or traffic concerns for the other side of Highland Avenue or concerns that traffic would cut through. Ms. Brown stated the applicant had proposed a traffic signal at the Central and Gould intersection that should help alleviate even the current traffic issue. There would not be much of a benefit for cut throughs anymore. The applicant is also proposing signage that would say local

traffic only on Noanett Road. Mr. Crocker stated he was referring to the other (southerly) side of Highland Avenue, Sachem Road, Hunting and Utica and the concerns regarding the size of the garage and massing. Mr. Schlager noted Sachem and Hunting will have several improvements including a dedicated direct access lane to 128.

Mr. Manning ran through a list of improvements. He noted, with the Kendrick Street interchange opening, the local traffic has gone way down. There will be radar embedded speed limit signs and enforcement. He suspects most traffic on Sachem Road is people from the center of town going to Hunting and not wanting to go to the light. Mr. Schlager stated the applicant would study, analyze and monitor that. He noted the garage is tucked in toward the east and not the west corner. It is only 3½ stories above grade as the site slopes down almost 30 feet. That will make the garage look smaller. It is also well designed with banners on the garage and some ornamental iron. People will only see 3½ stories of the garage. Mr. Crocker stated, originally, the project considered the possibility of housing. Going to a large floor area ratio (FAR) was conceived with housing in mind. Housing is not in this project but the FAR is still large. He is having some concern there. He stated they did a great job presenting to the neighborhoods. He noted the applicant is looking for a waiver for the parking issue. He does not expect a comment, but he is concerned with it.

Ms. Espada stated she appreciates the changes that were made. She asked that the pedestrian access across the site be explained. There are no crosswalks within the site. Mr. Weyant noted there are a number of crosswalks along Gould Street and a number of crosswalks within the site that are all pavers. There are a series of 6 or 7 and they are all raised. Ms. Espada asked about TV Place and was informed there are 2 crosswalks across TV Place. Ms. Espada noted the triangular parcel of land at the corner of TV Place and Gould Street and asked if the sidewalk connects that. Mr. Weyant noted the walkway is located right there along with an extension of the bike lane. Mr. Schlager stated he will continue to work with the Town on that piece of land. Ms. Espada commented the applicants have done a great job within the site moving people around and it would be good if that piece could be connected. She asked what the materials were of the penthouse on top. Mr. Weyant stated it would be opaque metal panels in dove gray. The height is limited to 15 feet. Ms. Espada asked if there was a way to make it a screen or something lighter to make the building feel lighter. Mr. Weyant will see about that but is not sure how it would work.

Ms. Espada noted more brick has been added to the building to the right but there is still a lot of glass on the façade. She asked if the brick could extend to where the cut out is on Gould Street. Mr. Weyant will look at it. Ms. Espada asked if the MA DOT required a glare study and was informed they do not but it will be glare resistant glass. Ms. Espada asked about acoustics for all units. Mr. Schlager stated Sentac is the sound consultant. They have done before-studies and will do after-studies. The report has been shared with the Town.

Ms. McKnight commented the reduction in the size of the building of 16,000 square feet is related to the need to move the buildings back. She asked if the 16,000 square foot reduction in size was only on the 2 office/lab buildings or did it include the garage. The response was that it was just the office/lab buildings.

Ms. McKnight noted the applicant said there was no change across the south building's Highland Avenue façade. She cannot tell if the plans reflect the new setback from Highland Avenue due to the state highway takings. She asked if the building is set back 50 feet from the new 20-foot setback. Mr. Schlager stated Feldman Surveying did the new study. Mr. Manning noted MA DOT approved the design. Mr. Schlager stated the MA DOT CAD File was given to Feldman. It was verified and all the numbers purport to the towns numbers as verified by the Town Engineer. Ms. McKnight, recalling the rezoning process, noted that it is important to the public that the 50-foot setback from Highland Avenue is preserved. No driveways are allowed in the setback, yet the Fire Department requires emergency access all around the site. This plan does not show what would finally be worked out with regard to that emergency access way. Presently it is from TV Place but there is no way for a vehicle to turn around and go back. It was mentioned the Town wants to keep a curb cut on Highland Avenue. Are there any comments on that process to resolve those issues? She wants a landscaped 50-foot buffer and recognizes the need for the access way.

Mr. Schlager stated permeable pavers are being discussed with the Town. There were a number of options presented and there are pros and cons with all. The pathway will be built to H20 standard, which is the Fire Department standard. This is how the Fire Chief wanted it designed so trucks could come in from TV Place or Highland Avenue. They spent a lot of time with the Fire Chief and Town Engineer. The project will meet all requirements and designs. Ms. McKnight asked if the Highland and Gould Street access would be different for fire trucks than for other vehicles. Mr. Block noted a revised

letter from Building Commissioner David Roche, dated 8/31/22, with 3 plan modifications. The questions have been answered. There will be 10-foot-wide permeable pavement with 5 feet of permeable pavers on both sides.

Mr. Block opened the hearing for public comment. Ben Daniels, of 5 Sachem Road, stated Bulfinch was disrespectful and rude not to come in person and meet with the neighbors. The Planning Board said all should be there in person. This project keeps getting bigger and bigger with not a lot of consideration for the neighbors' comments. This has been built up to special permit guidelines. It is too big and too much. The applicant is trying to change the rules after. People care about giant commercial structures in their neighborhoods. Doug Fox, of Marked Tree Road, asked the Planning Board to do what it said at Town Meeting, claiming that Mr. Alpert said a 1.35 FAR is the maximum it could be. The Select Board gave examples of development across 128 that were below maximum FAR. He asked the Board to drive a hard bargain. This is a massive building. The Board needs to focus on the size. He wants the Board to start with a 0.7 FAR as it would be less impactful. He asked why the applicant got an 80% bump in FAR. He is not sure why office space and lab space are being built. There is a glut right now. He asked the Board to do what it said and make it way smaller.

Nicole Nasson, of 620 Highland Avenue, is right where the state is putting the bike lane. They are destroying her front yard and now there will be a giant building across the street. There is a lot of cut through traffic with 50+ kids. Her boys are 6 and 9. It is not safe. She asked the Board to reconsider the size of the building and what it is doing to the neighborhood. Joni Schokett, of Evelyn Road, stated the members are elected by people to do what the people want. The people have said for over a year it is too big. She did not know the FAR did not include the parking garage. With the garage it is well over a 2.0 FAR. She understands something will be built but this is too big. They have told the elected officials it is too big. There will be air and sound pollution and it will be like being near a city. They live in quiet neighborhoods. The residents have told and begged and are asking the Board to listen to the people who elected them and bring it back down to a 0.7 FAR.

David Ruska, of 21 Rosemary Street, is concerned with widening on the streets. He feels, as a society, transportation has been mismanaged over the last 20 years. Often improvements are not better. He asked if the Board members would consult experts if there are questions. He is thrilled to see Bulfinch leading this project. They were very responsive when he lived in Newton. He feels bike and pedestrian transportation should be the focus and not automobiles.

Sophia, of Elder Road, stated this is too big and wrong. She lives with her mother-in-law who is 100% disabled. She has to drive her every day to daycare. This project affects the entire area she drives in. The Board should listen to the people. This affects everybody.

Patrick Hick, of Noanett Road, lives next door to this. His concern is with the problems they already have on Noanett. He asked how many people will be in these buildings on a daily basis. Mr. Manning stated they do not know the tenants yet but there could be 1,000 to 1,200 people per day. Mr. Hick stated all those people have to eat lunch and will be coming and going unless there is food in the building. There will be sewage and disposal for 1,000 extra people. Sewage from that area flows down Noanett Road, has backed up and flooded people's basements. What are the plans for sewage mitigation? Mr. Schlager noted there will be several hundred thousand gallons of water stored on site. They are installing only sanitary sewers from the property to under Route 128. He was not aware of any issues on Noanett but would be happy to have Engineering look at it, report back and address any problems. Mr. Hick stated stuff from Gould runs down Noanett. He asked to what extent this will impact surrounding businesses and how they would grow.

Mr. Schlager stated there will be 10,000 square feet of retail and it will have outdoor seating. There have been no discussions with food service suppliers or restaurants on Gould Street. The project will not have large-scale restaurants on site. There may be family-style restaurants from 6:00 a.m. to 8:00 p.m. He hopes the impact will be positive on the surrounding businesses. Mr. Hicks would like to see more information on the effect on surrounding businesses.

Jill Kahn, of Brookline Street, is concerned for the abutters in the Heights and in her neighborhood. This is too large. She has been a Town Meeting member for 25 years in Precinct I. People feel this should not be approved by the Planning Board. She voted in favor of this at Town Meeting when the FAR was 0.75. The FAR has grown since Town Meeting approved it. She feels it will be detrimental to the town. Down the street in Newton will be 800 residential units and retail where Marshall's was. This area is getting overbuilt. Five people will have to make a decision. This will affect generations to

come. The parking garage is massive. She asked why a 9-story garage for 1,000 people. People are not going back into offices. She feels this should be downsized and stick to the 0.75 FAR Town Meeting voted for.

Amelia Egan, of 13 Utica Road, stated the north building is too massive. There are a lot of changes on the Gould Street side but no consideration for the residents of Needham Heights. What consideration has been given for light pollution? Mr. Schlager stated Needham has By-Laws they will comply with. There will be dark sky lighting and it must be contained on the property. He does not believe there will be any negative effects. He would be willing to meet to go through any concerns. Ms. McKnight clarified it is the south building along Highland Avenue. She asked if that is the building Ms. Egan referred to and was informed it was. Ms. Egan does not feel the Heights side has been taken into account.

Maureen DeMaio, of Central Avenue, has lived here for 33 years. She does not know one person who supports this project. She asked her neighbors who support her in opposition to stand. Steve Sussman, of 30 Davenport Road, does not think this is a beautiful gateway. It is too massive and so un-Needham. People are using cut-throughs at Sachem, Mills and Utica to avoid the light and traffic at Gould/Highland/Hunting. This will cause more cars and every street in Needham will be affected by this development. Public transportation and biking will not happen. The building is nice, but the size is grotesque. He gives the applicant credit for reducing it, but it was only a 3% reduction. With regards to taxes, other projects are being built. The taxes are always going up and they never go down or stay the same. He asked who benefits from this as it is not the neighbors or the residents. He suggests the Planning Board watch the movie "Local Hero." This is a movie that he feels is relevant to their cause.

Bob Dangle, of Hewitt Circle, stated the applicant did a great job designing this. He wants to make sure the Planning Board is listening to their concerns. No one in the room feels this is a good idea. It is very far above the FAR of 0.7 brought to Town meeting and it got through somehow. The Planning Board, at some point, needs to listen to the people affected by it. Real families are being affected. Jason Stone, of Hewitt Circle, agreed with Mr. Dangle. He is concerned with Noanett Road. He wants to know what is going to happen at the light, so it does not become worse than it already is. Emily Peck, of 12 Mills Road, has been before the Board 3 times. She does not feel her concerns have been heard. She is concerned Bulfinch is not at the meeting in person. The size and scale are major concerns. She stated the Planning Board members, as elected officials, are not hearing them. The project is too big. The Planning Board suggested at the last meeting all should be here in person. The abutters are all here, but Bulfinch is not. Natalie, of 21 Utica Road, has a 3- and 5-year-old. Her family has been here over 30 years. The scale of the project is too big. A 1.25 FAR is out of scale. The number of cars going into her street concerns her. There will be increased pollution which will cause asthma. She feels the Board should abide by what Town Meeting approved with an FAR of 0.7. Mr. Block noted people said Town Meeting approved a 0.7 FAR by an 82-18 vote, but he emphasized that the vote allowed a number of uses at this site and dimensional regulations of 0.7 FAR by right and 1.35 FAR by special permit. Town Meeting approved both by right and by special permit.

Ben Daniels noted the FAR does not include the garage. Mr. Block confirmed the garage was not included in the FAR in this district. Mr. Daniels stated no one has talked about Highland Avenue much. It is still too narrow and will make the whole area worse. What discussions have been had with the state to take some Bulfinch land to make a dedicated right onto Gould? Has there been any thought of an entrance/exit ramp into the site to keep traffic off Gould Street? Ms. McKnight clarified the state did widen Highland Avenue in 2020. She has seen the taking plans. There was a lot of discussion then and all were satisfied with it. Amy Stone, of Hewitt Circle, stated the residents would like a different entrance to this facility rather than Gould Street. She asked if there was any thought to this. She likes that Bulfinch is responsive, but she does not feel the Planning Board is listening. They are not representing the people's needs. A gentleman stated when Town Meeting approved, by 82%, that was under the threat of an Amazon warehouse. The Planning Board at that time said it would be much less than a 1.35 FAR. He wants the Board to stand by that.

Ms. Espada noted that a 50,000 square foot building requires 1,678 parking spaces but only 1,390 spaces have been proposed. She asked if the applicant found there is less need for parking with covid. She asked if there is mitigation planned for cutting through streets. Mr. Manning stated parking is a fluid dynamic with covid as a factor now. Parking need would be high as it is on 128 but they have a desire to link the area to transit. They hope 10-12% will walk, bike or use public transit. A lot of people work from home but over time leases will be adjusted for people working from home. He feels a 1-300 count accounts for people working remotely and a percentage of people commuting to and from work via public transit.

They want kids to be safe. Most of the issues are pre-existing conditions. By virtue of making fixes, it should help tremendously. He is willing to work with all to make them safe.

Mr. Block noted the following correspondence for the record: 2 emails from Rebecca Brown, of GPI, dated 8/18/22 and 8/30/22; 2 emails from Building Commissioner David Roche, dated 8/23/22 and 8/31/22; a memo from Fire Chief Thomas Conroy, dated 8/31/22; an email from Stacy Mulroy, Director of Park and Recreation, dated 8/31/22; a letter from Town Engineer Thomas Ryder, dated 9/1/22; an email from Elizabeth Mercer, dated 7/7/22; an email from David Mindlin, dated 7/7/22; an email from Joan Feeney, dated 7/6/22 and an email from Teresa Combs, dated 7/5/22.

Mr. Alpert stated he is not ready to close the hearing. He would like to continue to the next meeting. He commented the Planning Board does listen to all comments. The Board takes what the people say very seriously. The Board allows all to speak and the members hear them. The members have read all emails that have been sent. He needs time to digest what was heard tonight and to review the plans again. He is not sure it could be done if the hearing is closed. Mr. Alpert thanked all for coming and speaking.

Upon a motion made by Mr. Crocker, and seconded by Mr. Alpert, it was by a roll call vote of the five members present unanimously:

VOTED: to continue the hearing to 10/3/22 at 7:05 p.m.

The Board took a 5-minute recess.

7:15 p.m. – Article 1: Amend Zoning By-Law – Schedule of Use Regulations Brew Pub and Microbrewery. Please note: this hearing will not begin at 7:15 p.m., but will begin at the close of the hearing immediately prior to this one.

Upon a motion made by Mr. Alpert, and seconded by Mr. Crocker, it was by a roll call vote of the five members present unanimously:

VOTED: to waive the reading of the public hearing notice.

Mr. Block gave the background. He noted they are proposing to allow microbreweries and brew pubs only by special permit in certain districts. He read the definitions of brew pubs and microbreweries. A brew pub is a restaurant that produces its own beer with restrictions. A Microbrewery is a facility for producing and packaging ales of no more than 15,000 gallons per year. He discussed which districts the uses are to be allowed by special permit only. He noted the following correspondence for the record: a letter from Attorney George Giunta Jr., dated 9/7/22, with comments; an email from Mark Regan, dated 7/22/22, in support and a note from Thomas Harkins with comments.

Mr. Alpert noted part of the Industrial District on the south side of Highland Avenue between Hillside and Rosemary is being excluded and the Panera Bread plaza. Mr. Block commented that protects Riverside and Highland Terrace. Ms. Newman noted there is also a small Industrial area at Denmark Lane that is being excluded.

Mr. Crocker stated they need to take care of where restaurants are allowed and need to look at what is being creating there. The members need to take special care of what may happen at Town meeting. He is in favor of this, but the Board needs to be careful. He is concerned it will be slammed at Town Meeting if it is not right. They seem to be taking away the rights of something that is already there. He was told an odor comes out of brew pubs in Dedham. That was just a comment made to him. He is concerned.

Ms. Espada stated she has no comments but needs clarity on Attorney Giunta Jr's letter. Mr. Block would like Town Counsel Christopher Heep to write a letter to the Planning Board to clarify. Mr. Alpert stated someone came forward and argued that brew pubs are already allowed, but the Building Inspector responded that brew pubs were not allowed, since he disagreed a brew pub was manufacturing. Mr. Block stated this is being done to create clarity. By the Building Inspectors' interpretation, the production of beer is not allowed. He would like a letter from the Building Inspector. Ms. McKnight asked for clarification of what zone the area referred to as industrial east of 128 is. Mr. Alpert stated it was off Reservoir Street.

Mr. Block opened the meeting for public comment. Teresa Combs, of 7 Utica Road, stated she would not like this at the Muzi site. Mr. Block noted some uses are allowed at the site. The By-Law would allow the use, but Mr. Schlager (Bulfinch Company Principal) stated he would not include it. Ms. Combs would like it excluded from that area and the former 3 Squares restaurant area. She asked where food trucks would go? She is worried with so much construction going on including the Children's Hospital satellite office. Mr. Alpert stated, at 3 Squares, the By-Law would include a brew pub but not a microbrewery. Food trucks would be allowed with microbreweries/pubs. The Board could consider removing it from the article before submitting it to Town Meeting.

Louis Wolfson, of 29 Cimino Road, does not believe Attorney Giunta Jr. is against brew pubs or microbreweries. He is just pointing out the By-Law affects being able to have them. Mr. Wolfson is in favor of both. He is concerned with the distinction between all the different breweries such as craft breweries, nano and farm. All should be considered. On Crescent Road, industrial is allowed by special permit. He could have a restaurant and liquor. This should be included. A microbrewery does not necessarily serve food. It may not be consumers going up and down Crescent Road. The Board needs to look at this on a broad basis. They are excluding one area in favor of others. He wants a fair due process. He stated he would like Attorney Giunta Jr's letter to be public. Mr. Block stated it has been added to the packet on the website.

Emily Peck, of 12 Mills Road, originally opposed brew pubs and microbreweries at the 3 Squares area. It exposed a residential area to drunk drivers and the crowds they attract. Thomas Harkins agrees with Mr. Wolfson. It is too restrictive. A little more flexibility should be allowed. The Board needs to get this together before October. Mr. Alpert stated a nano brewery fits in the definition of a microbrewery. A woman from Evelyn Road is opposed because of where it is, not what it is. It will be bringing traffic each night. She has been told you can smell the odor from the brew houses in Dedham. These could be put behind Staples or the Industrial Park but keep them away from neighborhoods. It would be more clogging of Highland Avenue. She has lived here for 44 years, and it is impossible to get around town now.

Kristine Didick, of Hunting Road, is in full support of brew pubs anywhere in Town the Board wants it. It will enhance the town and we need vibrancy in town. Maggie Abbruzese, of 30 Bridle Trail Road, asks to clarify if all will be by special permit. What is the criteria for granting or denying? Mr. Block stated it is driven in part by the site plan special permit and the use. Ms. Abbruzese asked if these will all be major projects. Mr. Alpert noted a major project is 10,000 square feet or 25 parking spaces. He feels these will fit within major project. They would need a special permit for the use, which can be denied as long as the denial is not arbitrary. Ms. Newman noted there is a whole section in the By-Law with criteria for granting of a special permit for specified uses. Mr. Alpert stated if there is a detrimental impact that cannot be mitigated it would be denied by the Planning Board. Ms. Abbruzese asked, historically, if any special permit use has ever been denied. Ms. Newman noted not many. A fitness center proposal on Chestnut Street was denied as different members had different perspectives. One member had parking issues.

Ms. McKnight, for clarity, read part of the By-Law. She stated the Building Commissioner will make sure the proposal complies with zoning, but the Planning Board will carefully review and conditions will be set in the decision. Henry Mass, of Waltham Mighty Squirrel Brewery, stated he grew up in Needham and knows it well. He noted when he got a special permit for the Waltham site, he was asked to control odor and he has done that. He does 17,000 barrels and is in the top 2% of breweries. He has mitigated the smell entirely. He would welcome anyone to come to Waltham to see his operation. It is multi-generational and family friendly. He is happy to provide photos and materials. He is classified as a microbrewery. Mr. Block stated he has attended a number of breweries in the state including Mighty Squirrel. He discussed his observations. Naveen Pawar, co-owner of Mighty Squirrel, stated a microbrewery makes less than 15,000 barrels and almost 80% are less than 10,000 square feet. Their building is 17,000 square feet. They put in an exhaust system that neutralizes the odor. 98% of breweries make less than 15,000 barrels. The majority of their customers are families and parties for kids. It is very family friendly.

Ken Gantz, of 26 Holmes Street, spoke before on this. He feels the community could benefit more on what constitutes brew pubs and microbreweries. They are looking at Planning Board members to educate themselves. He thanked Mighty Squirrel for being there and clarifying a lot. He stated the right question is how often a use has been put before the Board and conditions have been put into place as part of a special permit. Mr. Block stated always. Valerie Daly offered support for this idea and requested everyone keep their minds open. This sounds wonderful and positive to add to Needham. There are a lot of concerns about the areas in which the uses would be allowable. People she has spoken to would like one at Bulfinch to walk to in the Heights. Mr. Block asked what the next steps are. Mr. Alpert noted there will be another meeting to

discuss what the Board wants to send to the Select Board for inclusion in Town Meeting. They will vote the recommendation at the next meeting. Ms. Newman noted there will be final language changes at the 9/20/22 meeting and recommendations so it can go on the warrant in its final form.

Upon a motion made by Mr. Alpert, and seconded by Mr. Crocker, it was by a roll call vote of the five members present unanimously:

VOTED: to close the hearing subject to receipt of comments from the Building Inspector and Town Counsel.

Decision – Amendment to Major Project Site Plan Special Permit No. 2012-04: Needham Bank, 1063 Great Plain Avenue, Needham MA, Petitioner (Property located at 1063 Great Plain Avenue, Needham, MA). Regarding proposal to convert the existing bank building mezzanine space into 1,325 SF for executive offices, as well as demolish the existing drive-thru free-standing automatic teller machine (ATM) and to construct a 321 SF drive-up teller building with an ATM.

Upon a motion made by Mr. Alpert, and seconded by Mr. Crocker, it was by a roll call vote of the five members present unanimously:

VOTED: to grant (1) the requested Major Project Site Plan Special Permit amendment under Section 7.4 of the By-Law and Section 4.2 of Major Project Site Plan Special Permit No. 2021-04, issued to Needham Bank, 1063 Great Plain Avenue, Needham, MA, dated June 12, 2012, amended August 6, 2013, April 15, 2014, October 7, 2014 and December 15, 2015; (2) the requested Special Permit under Section 3.2.2 of the By-Law to allow for a drive-up teller building with a drive-up ATM in the Chestnut Street Business Zoning District as an accessory use allowed incidental to a lawful principal use; (3) the requested Special Permit under Section 3.2.2 of the By-Law for off-street parking for vehicles associated with a principal use, located on a separate lot owned or leased by the owner of the land in which the principal use is located, within a zoning district in which the principal use is permitted; and (4) the requested Special Permit under Sections 5.1.1.5 and 5.1.1.6 of the By-Law to waive strict adherence to the off-street parking requirements of Sections 5.1.2 and 5.1.3 of the By-Law, subject to and with the benefit of the following Plan modifications, conditions and limitations.

Mr. Alpert noted the 5th line down the word “Permit” needs to be added after “Special.”

Upon a motion made by Mr. Alpert, and seconded by Ms. Espada, it was by a roll call vote of the five members present unanimously:

VOTED: to approve the decision as drafted with one typo as presented to us dated today.

Board of Appeals – September 15, 2022

150 Gould Street – Bakers’ Best, Inc.

Upon a motion made by Mr. Alpert, and seconded by Ms. Espada, it was by a roll call vote of the five members present unanimously:

VOTED: “No comment.”

377 Chestnut Street – Plan B Retail Design and Project Management, LLC.

Upon a motion made by Mr. Alpert, and seconded by Ms. Espada, it was by a roll call vote of the five members present unanimously:

VOTED: “No comment.”

Minutes

Upon a motion made by Mr. Alpert, and seconded by Ms. McKnight, it was by a roll call vote of the five members present unanimously:

VOTED: to approve the minutes of 6/21/22 as redlined.

Ms. Newman noted the minutes of 10/19/21. A complaint was filed with the State Ethics Commission that the Planning Board had been operated in violation of the open meeting law for 16 minutes. There was discussion by some members of the Board before opening the meeting. The State Board requested the Planning Board restate the discussion in the minutes that had been done and acknowledge business should not be conducted prior to the meeting especially on Zoom. Ms. Newman has restated that discussion, so the minutes have been amended to reflect that discussion. Mr. Alpert stated the additional comments to the 10/19/21 minutes accurately reflect what was said. Mr. Block stated this demonstrates the benefit of public participation. The Board will act more diligently to ensure there are no violations of the open meeting laws. They have taken corrective action with integrity.

Upon a motion made by Ms. Espada, and seconded by Mr. Alpert, it was by a roll call vote of four of the five members present (Mr. Crocker abstained):

VOTED: to approve the revised minutes of 10/19/21.

Report from Planning Director and Board members.

Ms. Newman gave an update of the Housing Plan Working Group. There is a meeting tomorrow and Ms. McKnight will present the MBTA guidelines. The working group has finalized the subgroup recommendations on the policy. The draft housing plan will be available for the meeting on 9/29/22. The draft will be presented to the Select Board on 10/11/22 and a community workshop will be held on 10/13/22 to present the draft. Ms. McKnight stated Ms. Newman gave a good report and she has nothing to add. She noted a lot of work is being done to understand the MBTA guidelines.

Correspondence

There is no correspondence.

Upon a motion made by Mr. Alpert, and seconded by Mr. Crocker, it was by a roll call vote of the five members present unanimously:

VOTED: to adjourn the meeting at 10:54 p.m.

Respectfully submitted,
Donna J. Kalinowski, Notetaker

Jeanne S. McKnight, Vice-Chairman and Clerk